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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,530	11/26/2001	William Frederick Ashworth	0074-450511GWW	7087

110 7590 03/14/2005

DANN, DORFMAN, HERRELL & SKILLMAN
1601 MARKET STREET
SUITE 2400
PHILADELPHIA, PA 19103-2307

EXAMINER

BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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W.H.

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20050303

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Office Action Summary

Application No.

09/936,530

Applicant(s)

ASHWORTH, WILLIAM
FREDERICK

Examiner

Stephen M Brinich

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18 and 19 is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-11, 16, 17, 20 and 21 is/are rejected.
- 7) ☒ Claim(s) 7 and 12-15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

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DETAILED ACTION

Claim Objections

1. Claim 21 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claim not been further treated on the merits.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 6 & 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 6, line 2, the statement "the parcels are formed according to an orthogonal mesh" (with no qualification indicating that it does not apply to all of the recited parcels) contradicts the statement in parent claim 1, lines 6 that "two or more of the screens have different non-orthogonal minimum meshes".

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In claim 20, line 1, the phrase "Apparatus which implements a screen system or a method..." is unclear as to whether an apparatus or a method is claimed.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5, 8-11, & 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by GB 1355540.

Re claims 1-3, 5, 8, 10, & 16-17, GB 1355540 discloses (page 1, line 9 - page 2, line 67; particularly page 1, lines 9-57 & page 2, lines 18-59; page 4, line 55 - page 5, line 117; Figures 3a-3c) a screen system for a color halftone image in which a plurality of different screens for various colors are defined, each having a parcel of repeating printing areas with areas and orientations defined by a linear mesh of lines between the printing areas. The color screens are disposed in a non-orthogonal arrangement.

Re claims 4 & 9, the parcels (Figures 3a-3c) have a parallelogram shape.

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Re claim 11, each screen (Figures 3a-3c) has its respective printing area arrangement.

Allowable Subject Matter

6. Claims 7 & 12-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 18-19 are allowed.

8. The scope of claims 6 & 20 is not sufficiently clear to permit a definitive determination of whether the claims are allowable over the art of record if rewritten or amended to overcome the rejection(s) under 35 USC §112, 2nd paragraph.

Re claims 7, 12-14 & 18 (and dependent claim 19), the art of record does not teach or suggest the extension of printing areas along the distances other than the shortest distance to the neighboring printing area in conjunction with the recited plurality of different screens for various colors disposed in a non-orthogonal arrangement.

Re claim 15, the art of record does not teach or suggest the recited oval printing areas in conjunction with the recited plurality of different screens for various colors disposed in a non-orthogonal arrangement.

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Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Examiner has cited art listed in the PCT Search Report provided by Applicant (but apparently not listed on a PTO-1449 form) on Form PTO-892 in order to insure that this art is properly made of record.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.


If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.

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Hand-carried or courier-delivered correspondence pertaining to this application should be directed to

US Patent and Trademark Office
220 South 20th Street
Crystal Plaza Two, Lobby, Room 1B03
Arlington VA 22202


Stephen M Brinich
Examiner
Art Unit 2624

smb
March 4, 2005